

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FACTOR 2 MULTIMEDIA SYSTEMS, LLC,
Plaintiff,
v.
COMERICA BANK
Defendant.

CASE NO. 2:24-cv-0401-JRG
LEAD CASE

**JOINT MOTION FOR EXTENSION OF TIME
TO SERVE PRELIMINARY CONTENTIONS**

Plaintiff Factor2 Multimedia Systems, LLC (“Factor2” or “Plaintiff”), and Defendants Comerica Bank (“Comerica Bank”),¹ Regions Financial Corporation (“Regions”),² Texas Capital Bancshares (“Texas Capital”),³ and Washington Federal Bank (“WaFd”)⁴ (collectively, “Defendants”) file this Joint Motion for Extension of Time to Serve Preliminary Contentions and respectfully show the following:

The Court set the Scheduling Conference in this case for November 7, 2024 by its Order of October 23, 2024 (Dkt. No. 9). Pursuant to this Order, the Court ordered Plaintiff to comply with P.R. 3-1 and 3-2 two weeks before the Scheduling Conference (October 24, 2024) and for Defendants to comply with P.R. 3-3 and 3-4 six weeks after the Scheduling Conference (December 19, 2024). The Parties have met and conferred and respectfully request a four-week extension to these respective deadlines.

¹ Factor 2 Multimedia Systems, LLC V. Comerica Bank, Case No. 2:24-cv-0401 (Lead Case)

² Factor 2 Multimedia Systems, LLC V. Regions Financial Corporation, Case No. 2:24-cv-0398 (Consolidated Case)

³ Factor 2 Multimedia Systems, LLC V. Texas Capital Bancshares, Case No. 2:24-cv-0402 (Consolidated Case)

⁴ Factor 2 Multimedia Systems, LLC V. Washington Federal Bank, Case No. 2:24-cv-0403 (Consolidated Case)

Wherefore, the Parties respectfully request that the Court grant this joint motion and enter an order extending the deadline for Plaintiff to comply with P.R. 3-1 and 3-2 to **November 21, 2024** and for Defendant to comply with P.R. 3-3 and 3-4 to **January 16, 2025**.

Respectfully submitted,

Dated: October 29, 2024

/s/ Benjamin C. Deming

Benjamin C. Deming (TX 24091778)
DNL ZITO
3232 McKinney Ave, Suite 500
Dallas, Texas 75204
(214) 799-1145
bdeming@dnlzito.com

Attorneys for Plaintiff
Factor2 Multimedia Systems, LLC

/s/ Jason W. Cook

Jason W. Cook
MCGUIRE WOODS LLP
2601 Olive St.
Suite 2100
Dallas, TX 75201
(214) 932-6418
jcook@mcguirewoods.com

/s/ Jason W. Cook

Jason W. Cook
MCGUIRE WOODS LLP
2601 Olive St.
Suite 2100
Dallas, TX 75201
(214) 932-6418
jcook@mcguirewoods.com

Attorneys for Defendant
Comerica Bank

Attorneys for Defendant
Regions Financial Corporation

/s/ Barry Bumgardner

Barry Bumgardner
BARRY BUMGARDNER LAW, PLLC
1613 Parkridge Ter.
Arlington, TX 76012
(512) 228-8562
barry@barrybumlaw.com

/s/ Kelly Ransom

Kelly Ransom
KELLY HART & HALLMAN LLP
400 Poydras Street, Suite 1812
New Orleans, LA 70130
(504) 390-6780
Kelly.Ransom@kellyhart.com

Attorneys for Defendant
Texas Capital Bancshares

Attorneys for Defendant
Washington Federal Bank

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system, except for Mr. Barry Bumgardner, counsel for Texas Capital Bancshares, who has been served by email and US Mail at the following address:

Barry Bumgardner
BARRY BUMGARDNER LAW, PLLC
1613 Parkridge Ter.
Arlington, TX 76012
(512) 228-8562
barry@barrybumlaw.com

/s/ Benjamin C. Deming

Benjamin C. Deming

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the Parties met and conferred and that the relief sought herein is joint.

/s/ Benjamin C. Deming

Benjamin C. Deming